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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,477	10/01/2003	Young-sig Kwon	1293.1948	4673

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EXAMINER	
NGUYEN, THAN VINH	
ART UNIT	**PAPER NUMBER**
2187	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/674,477	KWON, YOUNG-SIG	
	Examiner	Art Unit	
	Than Nguyen	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 March 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 18-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *18-20* is/are allowed.

6)☒ Claim(s) *1-3,8-10 and 21* is/are rejected.

7)☒ Claim(s) *4-7 and 11-16* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is a response to the response, filed 3/14/07.

2. Claims 1-16,18-21 remain pending.

Response to Argument

3. The Examiner is reissuing a Final Office action based on an error in the previous Final Office Action. In the previous office action, claims 1-3,8-10,21 were rejected under 35 USC 103. That was an inadvertent mistake. Only claims 3,10 should have been rejected under 35 USC 103 while claims 1,2,8,9,21 should have been rejected under 35 USC 102. The same prior art, Matsumoto, is relied upon. Since obviousness reasons were used to establish obviousness to claims 3 and 10, only claims 3 and 10 should have been rejected under 35 USC 103.

4. Applicant's arguments are not persuasive to overcome the previous office rejection.

5. As to claim 21, Applicant argues that Matsumoto does not teach building table of contents information for received data from a host. This argument is unpersuasive. Applicant should refer to Figure 1 and 5/8-6/26 for Matsumoto's description of the invention. Input data (program data, etc...) to be recorded on a disc is received into circuit 32 (Figure 1; 5/32-39). A TOC is generated for this input/program data and temporary stored in memory 44 (5/40-49). This TOC data represents the contents of the program to be recorded (1/48-55). Program data and TOC data is then recorded onto the disc (5/67-6/4). It is clear that Matsumoto discloses that the TOC data generated corresponds to the input program data received and to be record on the disc. There is no reason to interpret otherwise.

6. As to claim 1 and 8, Applicant argues that Matsumoto does not teach building information on the optical record medium using the record data to be recorded in a lead-in region, program region, and lead-out region of the optical medium, wherein the record data is transmitted from the host. This argument is unpersuasive. Matsumoto teaches input data (program data, etc...) to be recorded on a disc is received into circuit 32 (Figure 1; 5/32-39). A TOC is generated for this input/program data and temporary stored in memory 44 (5/40-49). This TOC data represents the contents of the program to be recorded (1/48-55). Subcodes are also generated (5/50-55). The TOC and subcodes are generated as a response to the input data that have program data to be recorded on the optical medium. The TOC and subcodes containing all of the necessary data to master the disc, controlling what is to be recorded in the lead-in, program, and lead-out areas (6/27-40; 7/23-47). Thus, it is clear that Matsumoto teaches building information (TOC and subcodes) in response to the input data (program data) that is to be recorded from the host.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1,2,8,9,21 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsumoto (US 5,325,352).

As to claim 1,8:

9. Matsumoto teaches a method of recording record signals sequentially transmitted from a host on an optical recording medium, comprising:

receiving record data from the host and storing the data in a buffer if an environment data is set (receiving input data to be stored on a disc; 5/32-35);

building information on the optical recording medium using record data to be recorded in a lead-in region among the record data stored in the buffer (TOC and subcodes are generated and containing all of the necessary data to master the disc, controlling what is to be recorded in the lead-in, program, and lead-out areas (5/40-49; 6/27-40; 7/23-47);

signal-processing the record data in the buffer and recording the data on the lead-in region, a program region, and a lead-out region of the optical recording medium (record data on disk; 3/40-4/6; 6/19-27; 7/23-8/20).

As to claim 2,9:

10. Matsumoto teaches notifying the host that the recording has been completed (complete recording status; 5/44; 9/23-30).

As to claim 21:

11. Matsumoto teaches a data recording medium comprising:

processing a record command (5/66-67);

forming an appropriate power and setting a recording speed (controlling power and velocity; 5/9-32);

initializing an encoder (initiate data forming circuit 32; 5/33-40);

setting a buffer to a raw recording mode (set reproduction mode; 8/48-65);

building table of contents information (building TOC based on input program data; 5/40-49, 7/54-8/15); and

recording the received data on the optical medium (record program and TOC data on disc; 3/40-4/6, 5/23-6/49).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claims 3,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto (US 5,325,352).

As to claim 3,10:

14. Matsumoto teaches the information on the optical recording medium is built using subq value and subcodes (2/18-40,55-67; 5/50-65) but doses not specifically teach using a 16 byte-subq value and a 96 byte-subcode. It would be clear to one of ordinary skills that the size of the subq and subcode varies upon different application requirements. Thus, the Examiner takes Offical Notice that it would have been obvious to one ordinary skills in the art to use a 16 byte subq and a 96 byte subcode, or other sized subcodes, as necessary to fulfill the application requirement.

Allowable Subject Matter

15. Claims 4-7,11-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

16. As to claim 4,11, the prior art does not further teach the building comprises: identifying the number of blocks if 16 byte-subq value exist; interpret a subq value for each block; and building the information on the optical recording medium using an index value in the subq value of the block (generating subq and subcodes; 2/18-40; 7/54-8/20).

17. Claims 5,6,13,14 are also allowable for incorporating the limitations of claim 4/11.

18. As to claim 7,12, the prior art does not further teach the building comprises: identifying the number of blocks if the 96 byte subcode value exists; deducing a subq value for each block; interpreting a subcode value of each block; and building the information on the optical recording medium using an index value in the interpreted subcode value of each block.

19. Claims 15,16 are also allowable for incorporating the limitations of claim 12.

20. Claims 18-20 are allowed for including allowable subject matter indicated in the previous office action (limitations of claim 17-19).

Conclusion

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is 571-272-4198. The examiner can normally be reached on 8am-3pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Than Nguyen
Primary Examiner
Art Unit 2187